

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CAUSE NO.: 2:14-CR-112-JTM-JEM
)	
TANDIKA JACKSON,)	
Defendant.)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE
UPON A SUPERVISED RELEASE REVOCATION HEARING**

TO: THE HONORABLE JAMES T. MOODY,
UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF INDIANA

On June 26, 2019, the United States Government appeared by counsel Assistant United States Attorney Gary Bell. Defendant Tandika Jackson appeared in person and by counsel Visvaldis P. Kupsis and in the custody of the United States Marshal. United States Probation Officer Rue A. Pattison appeared. The Supervised Release Revocation Hearing was held. The Court received evidence and comments.

Based upon the record of proceedings the Court makes this Report and Recommendation.

On April 15, 2015, Defendant Jackson pled guilty to the Count I and III charges in the Indictment (conspiracy and aggravated identity theft). On November 4, 2015, Judge Rudy Lozano originally sentenced Defendant Jackson to, among other things, a term of imprisonment of 57 months followed by 1 year of supervised release subject to specified written terms and conditions.

On November 30, 2018, the Government filed a Petition alleging that the Defendant violated the terms and conditions of supervised release [DE 192], and an arrest warrant was issued. On December 17, 2018, an Initial Appearance was held.

On May 17, 2019, Defendant Jackson, by counsel, filed a Motion to Transfer to Magistrate Judge, which was granted, and on June 4, 2019, Judge James Moody issued an Order referring this

case to the undersigned Magistrate Judge to conduct the Supervised Release Revocation Hearing, to recommend modification, revocation, or termination of the supervised release in this case, and to submit proposed findings and recommendations pursuant to 18 U.S.C. § 3401(i), 28 U.S.C. § 636(b)(1)(B), and N.D. Ind. Local Rule 72-1.

As a result of the June 26, 2019, Supervised Release Revocation Hearing, the undersigned Magistrate Judge **FINDS** that:

1. Defendant Jackson has been advised of his right to remain silent, his right to counsel, his right to be advised of the charges against him, his right to a contested Supervised Release Revocation Hearing, and his rights in connection with such a hearing;
2. Defendant Jackson understands the proceedings, allegations and his rights;
3. Defendant Jackson knowingly and voluntarily admitted that he committed the offenses of using marijuana while on supervised release and of using cocaine while on supervised release, and admitted that he tested positive for marijuana use and cocaine use on the dates listed in the Petition, and admitted that he failed to report for drug testing on the dates listed in the Petition, all as set forth in the November 30, 2018 Petition [DE 192];
4. This violations are Grade C violations, Defendant's criminal history category is III, and the suggested penalty is 5-11 months incarceration.

The undersigned Magistrate Judge **RECOMMENDS** to Judge James Moody that:

1. Defendant Jackson be adjudged to have committed a violation of his supervised release described in the November 30, 2018 Petition [DE 192];
2. The supervised release of Defendant Jackson be revoked;

3. Defendant Jackson be ordered committed to the United States Bureau of Prisons
forthwith to serve seven months of imprisonment therein.

The parties agreed to waive any objections to these Findings and Recommendation.

SO ORDERED this 26th day of June, 2019.

s/ John E. Martin
MAGISTRATE JUDGE JOHN E. MARTIN
UNITED STATES DISTRICT COURT

cc: All counsel of record
District Judge James Moody